

UNITED STATES DISTRICT COURT
WESTERN DISTRICT OF NORTH CAROLINA
CHARLOTTE DIVISION
DOCKET NO. 3:22-CV-00051-FDW-DSC

OHIO SECURITY INSURANCE)
COMPANY, *as subrogee of Nobles*)
Restaurants LLC,)
)
Plaintiff,)
)
vs.)
)
REWJR HOLDINGS, INC., *as Successor of*)
Fire Control Systems of Charlotte, Inc.,)
)
Defendant.)
_____)

ORDER

THIS MATTER is before the Court on the parties' Joint Motion to Consolidate and to Assign Action to the Complex Case Management Track, (Doc. No. 20). The parties seek consolidation of this action with a parallel case captioned Zurich American Insurance Company v. REWJR HOLDINGS, INC., as Successor of Fire Control Systems of Charlotte, Inc., No. 3:22-cv-288-RJC-DSC (the "**Zurich Lawsuit**"), pursuant to Rule 42(a) of the Federal Rules of Civil Procedure and Rule 42.1 of the Local Rules of this Court. In addition, the parties request assignment of the consolidated action to this Court's Complex Case Management Track. For the reasons set forth in the motion, including that counsel for Plaintiff in the Zurich Lawsuit consents to the requested consolidation, the motion is GRANTED.

The Court having considered the motion and supporting memorandum of law, and being otherwise sufficiently advised, IT IS THEREFORE ORDERED that:

1. This action shall be consolidated with Case No. 3:22-cv-288-RJC-DSC for all purposes, including trial;
2. This action shall be treated as the lead case pursuant to Local Rule 42.1; and

3. The consolidated action is assigned to this Court's Complex Case Management Track.

In accordance with Section 5 of this Court's Standing Order Governing Civil Case Management, Misc. No. 3:07-MC-47, (Doc. No. 2), the original Case Management Order in this matter, (Doc. No. 17), is amended as follows:

EVENT

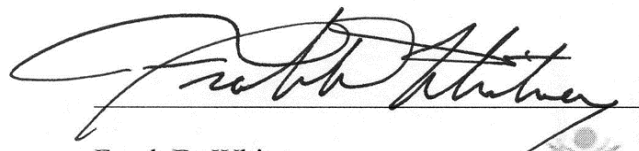
DEADLINE

Zurich Lawsuit Parties to exchange Initial Disclosures	August 15, 2022
Motions to Amend Pleadings	October 10, 2022
Completion of Discovery	April 24, 2023
Expert Reports	
Plaintiffs	February 13, 2023
Defendant	March 13, 2023
ADR Completed	May 8, 2023
Dispositive Motions (filed)	May 22, 2023
Dispositive Motions (hearing)	June 5-9, 2023
Trial Setting	July 10-28, 2023 Term

All other provisions of the Court's May 5, 2022, Case Management Order remain in effect.

IT IS SO ORDERED.

Signed: August 3, 2022


Frank D. Whitney
United States District Judge

